

## **WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **FINANCE**

DATE: **APRIL 6, 2011**

**Committee Members Present:**

Supervisors      Thomas  
                         Taylor  
                         Goodspeed  
                         Belden  
                         Monroe  
                         Kenny  
                         Merlino  
                         Conover

**Committee Member Absent:**

Supervisor      VanNess

**Others Present:**

Daniel G. Stec, Chairman of the Board  
Paul Dusek, County Attorney/Administrator  
Joan Sady, Clerk of the Board  
Kevin Geraghty, Budget Officer  
Supervisor Champagne  
Supervisor McCoy  
Supervisor Sokol  
Supervisor Strainer  
Supervisor Wood  
Frank O'Keefe, Treasurer  
Rob Lynch, Deputy Treasurer  
Julie Pacyna, Purchasing Agent  
Jeff Tennyson, DPW Superintendent  
Sheila Weaver, Commissioner, Department of  
Social Services  
Walt Lender, Executive Director, Lake George  
Association  
Zandy Gabriels, Lake George Asian Clam Rapid  
Response Task Force  
Don Lehman, *The Post Star*  
Nicole Livingston, Deputy Clerk

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Mr. Thomas called the meeting of the Finance Committee to order at 10:15 a.m.

Motion was made by Mr. Belden, seconded by Mr. Monroe and carried unanimously to approve the minutes of the March 9, 2011 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Action Agenda review, Mr. Thomas stated Item 1 were the requests for Transfer of Funds which were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

Motion was made by Mr. Belden, seconded by Mr. Monroe and carried unanimously to approve Item 1 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Item 2 was a referral from the County Auditor, requesting a Contingent Fund transfer in the amount of \$2,551 to Code A.1320 130 Auditor-

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Salaries-Part-time for the cost of the temporary assignment of the Senior Auditor position from 2/11/11 through 3/8/11.

Motion was made by Mr. Taylor, seconded by Mr. Kenny and carried unanimously to approve Item 2 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Item 3 was a referral from the County Facilities Committee, requesting a Contingent Fund transfer in the amount of \$6,990 to Code A.1620 260 Buildings-Other Equipment for the cost of equipment for the PA System in the Municipal Center Building.

Motion was made by Mr. Kenny and seconded by Mr. Belden to approve the request as presented.

Mr. Taylor questioned if the phone system could be utilized rather than a PA System. Paul Dusek, County Attorney/Administrator, noted that the matter of utilizing the phone system had been discussed; however, he said, he was unaware of the status of those discussions. In response to an inquiry, Mr. Dusek further stated that the need for the PA System was determined by Needham Risk Management Resource Group, LLC, who served as the County's Safety Services Consultant and coordinated the County's safety efforts. He added that the PA System would reach areas that the phone system was not able to reach.

Following discussion, Mr. Thomas called the question and the motion was carried by majority vote, with Messrs. Monroe, Taylor and Conover voting in opposition, to approve Item 3 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas apprised Items 4A through C were referrals from the County Treasurer. Item 4A, he said, was a request to close Capital Project No. H255.9550 280-ACC Computer System and to return unused funds to the General Fund.

Motion was made by Mr. Belden and seconded by Mr. Merlino to approve the request as presented.

Rob Lynch, Deputy Treasurer, advised there was approximately \$6,000 remaining in the Capital Project that would be returned to the General Fund.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 4A as outlined above, and the necessary resolution was authorized for the next board meeting.

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Mr. Thomas added Item 4B was a request to authorize the issuance of a Revenue Anticipation Note (RAN) for an amount up to \$500,000 for the funds needed to cover delays in State reimbursement for Westmount IGT program.

Motion was made by Mr. Monroe and seconded by Mr. Goodspeed to approve the request as presented.

Mr. Monroe asked if this delay was beyond the normal delay that the County had experienced in the past as a result of State not meeting their obligations. Mr. Lynch explained that this was last years money and the delay was much longer than it had been in the past. Mr. Taylor recalled that in the past, funds were borrowed from the Westmount Health Facility surplus to cover these costs while awaiting the State reimbursement and Mr. Lynch affirmed that; however, he said, the surplus no longer existed.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 4B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas noted Item 4C was a request to authorize the issuance of a Revenue Anticipation Note (RAN) for an amount up to \$2.25 million for the funds needed to cover the cash flow for the Waste Management Fund until funds held in the trust are released to the County.

Motion was made by Mr. Belden and seconded by Mr. Monroe to approve the request as presented.

Mr. Monroe questioned if this was to cover the cash flow as the County awaited the Debt Service Reserve which would not be available until November. Mr. Dusek commented that he was not aware that this money was needed and he suggested it be looked into further. Discussion ensued and the Committee agreed to not take action until Mr. Champagne returned to the meeting with additional information.

Mr. Thomas remarked Item 5 was a referral from the Gaslight Village Ad Hoc Committee, requesting a source of funding for crushed stone to be placed on the north parcel of the former Gaslight Village property for an estimated amount of \$10,000 to \$15,000.

Motion was made by Mr. Belden and seconded by Mr. Monroe to approve the request as presented.

Jeff Tennyson, DPW Superintendent, explained that this was discussed as a temporary improvement of the Festival Space area and beyond for this season only; however, he

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noted, he was not prepared to request funding at this time due to the fact that the site had not been assessed yet. He recommended that the matter be tabled until a later date.

Mr. Belden withdrew his motion and Mr. Monroe withdrew his second to the motion to approve a source of funding for crushed stone to be placed on the north parcel of the former Gaslight Village property. It was the consensus of the Committee to revisit the issue at a future Committee meeting.

Mr. Thomas advised Items 6A through C were referrals from the Health Services Committee, Health Services. Item 6A, he said, was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$924 to reflect receipt of funds received from an insurance claim pertaining to an automobile accident.

Motion was made by Mr. Goodspeed, seconded by Mr. Merlino and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas stated Item 6B was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$5,266 to reflect receipt of Cost of Living Adjustment (COLA) revenues for various grant programs.

Motion was made by Mr. Goodspeed, seconded by Mr. Monroe and carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added Item 6C was a request for a source of funding for the 2010 Co-Gen power reimbursements in the amount of \$42,917 and to determine the responsible entity for the 2011 reimbursements. He noted that the Treasurer's Office had advised that the 2010 reimbursement of \$42,917 had been settled between the DPW and the Treasurer's Office; therefore, he continued, only the responsible entity for 2011 needed to be determined.

Discussion ensued pertaining to the actual savings realized from the Co-Gen project. Mr. Dusek expounded a detailed analysis should be available in approximately one month, at which time discussions could continue. In terms of assigning the responsible entity for 2011, Mr. Dusek requested that the matter be tabled and returned to the Finance Committee in December 2011.

Mr. Thomas directed the Committee members back to Item 4C, the request to authorize the issuance of a Revenue Anticipation Note (RAN) for an amount up to \$2.25 million for the funds needed to cover the cash flow for the Waste Management

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Fund until funds held in the trust are released to the County. He reminded the Committee that a motion had been made and seconded to approve the request as presented. Mr. Champagne advised he had spoken with the appropriate parties and a decision had been made by the Trustees and he asked Mr. Lynch to explain the decision to the Committee members. Mr. Lynch stated he had received confirmation that beginning in April, the Debt Service payments would be coming directly from the Reserve; thereby eliminating the need to borrow money.

Mr. Belden withdrew his motion to approve the request to authorize the issuance of a Revenue Anticipation Note (RAN) for an amount up to \$2.25 million for the funds needed to cover the cash flow for the Waste Management Fund and Mr. Monroe withdrew his second to the motion.

Returning to the Agenda review, Mr. Thomas informed Items 7A through D were referrals from the Public Safety Committee. Items 7A through C, he said, were referred from the Sheriff & Communications and he listed them as follows:

- A) Amending the 2011 County budget to increase estimated revenues and appropriations in the amount of \$150 to reflect monies donated to the DARE Program by TCT Federal Credit Union;
- B) Amending the 2011 County budget to increase estimated revenues and appropriations in the amount of \$1,000 to correct an error in a budget code listing; and
- C) Amending the 2011 County budget to increase estimated revenues and appropriations in the amount of \$3,600 to reflect monies donated by the Warren-Washington Care Center to purchase lap-top computers for child abuse investigations.

Mr. Thomas added that Item 7D was referred from the Office of Emergency Services, requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$548 to reflect funds received from the sale of equipment.

Motion was made by Mr. Merlino, seconded by Mr. Goodspeed and carried unanimously to approve Items 7A through D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Items 8A through G were referrals from the Public Works Committee. Items 8A through E, he said, were referred from DPW and he listed Items A through D as follows:

- A) Establishing Capital Project No. H319.9550 280-Hicks Road (CR52) Reconstruction, in the amount of \$439,909, with the source of funding to be 80% Federal share (\$351,927); and 5% Local share (\$87,982) to be transferred from the County Road Fund Balance;

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- B) Establishing Capital Project No. H320.9550 280-Crane Mountain Road Bridge, in the amount of \$254,000, with the source of funding to be 80% Federal share (\$203,200); and 5% Local share (\$50,800) to be transferred from the County Road Fund Balance;
  - C) Establishing Capital Project No. H321.9550 280-Lanfear Road Bridge, in the amount of \$35,000, with the source of funding to be 80% Federal share (\$28,000); and 5% Local share (\$7,000) to be transferred from the County Road Fund Balance; and
  - D) Establishing Capital Project No. H322.9550 280- Palisades Road (CR 26) over Brant Lake Inlet Bridge, in the amount of \$50,885, with the source of funding to be 80% Federal share (\$40,708); and 5% Local share (\$10,177) to be transferred from the County Road Fund Balance.

Mr. Thomas noted that State Marchiselli funding was not available at this time for any of the projects listed.

Motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to approve Items 8A through D as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Thomas added Item 8E was a request to authorize the appropriation of Undesignated Fund Balance to County Road Projects as follows:

- to Code D.5112 8004 280- County Road Guide Rail Installation Projects in the amount of \$61,065;
- to Code D.5112 8105 280- County Road CR#10 Schroon River Road Projects in the amount of \$22,024; and
- to Code D.5112 8146 280- County Road CR#9 Friends Lake Road Projects in the amount of \$13,004.

Motion was made by Mr. Belden, seconded by Mr. Monroe and carried unanimously to approve Item 8E as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Items 8F and G were referred from Parks, Recreation & Railroad. He stated Item 8F was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$4,658 to reflect receipt of insurance money for the Route 8 Riparius signal equipment emergency call out and repair. He added Item 8G was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$782 to reflect receipt of restitution monies received for lawn damage at the Fish Hatchery.

Motion was made by Mr. Belden, seconded by Mr. Merlino and carried unanimously to approve Items 8F and G as outlined above, and the necessary resolution was authorized for the next board meeting.

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Mr. Thomas apprised Item 9 was a request from Fulton County for a resolution urging passage of legislation to allow counties to determine which optional Medicaid benefits to provide. He noted a sample resolution from Fulton County was attached.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 9 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas remarked Item 10 was a referral from the County Attorney, requesting a source of funding in the amount of \$1,090 for abstracting for the County foreclosure proceedings.

Mr. Dusek commented that he had presented a similar request last month; however, he noted, additional funds were needed. He recommended a transfer from the Contingent Fund to cover this request.

Motion was made by Mr. Goodspeed, seconded by Mr. Monroe and carried unanimously to approve Item 10 as outlined above with the source of funding to be transferred from the Contingent Fund, and the necessary resolution was authorized for the next board meeting.

Concluding the Action Agenda, Mr. Thomas stated Item 11 was a request for Finance Committee action which was required on the following items that were approved by the Personnel Committee: Item Nos. 1A, 1B, 2A, 2B, 2C and 4A.

Motion was made by Mr. Kenny, seconded by Mr. Monroe and carried unanimously to approve Item 11 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas referred to Item IV. Topics to be reported on/discussions/updates. He stated Item 1 was a referral from the Finance Committee requesting the Purchasing Agent to research the possibility of offering consolidated bids to purchase large quantities of common goods in order to save money.

Julie Pacyna, Purchasing Agent, reported that she had contacted the Long Island Purchasing Council and the only item they had bid out so far was paper. She noted that Warren County's paper price was lower than both the Long Island Purchasing Council and State contract. She added that the County did allow the towns to purchase from the County's bid for paper, as well as office supplies.

Mr. Kenny recalled that the original discussion on this topic included the possibility of purchasing a larger quantity than normal and coordinating with Washington County, as well, to achieve a larger savings. Ms. Pacyna questioned if there were any legal guidelines to forming a cooperative and Mr. Dusek replied it would necessitate

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intermunicipal agreements between the municipalities; however, Mr. Dusek continued, additional research into the cost savings would be needed.

Discussion ensued. Ms. Pacyna questioned the desire of the Committee and Mr. Thomas suggested that Ms. Pacyna begin by pursuing the bulk purchasing of paper only.

Mr. Thomas stated Item 2 was discussion regarding the request for \$75,000 to assist the Lake George Asian Clam Rapid Response Task Force.

Motion was made by Mr. Conover and seconded by Mr. Monroe to approve the request as presented.

Mr. Monroe apprised he was in favor of the County participating in this important initiative; however, he said, he did not support a \$75,000 contribution. Mr. Taylor agreed with Mr. Monroe and questioned how much of the total cost listed as \$460,000 would be incurred in 2011 to which a reply was given that the entire amount listed was for 2011. Mr. Belden asked if Essex and Washington Counties had been contacted for contributions, as well. Walt Lender, Executive Director of the Lake George Association, announced the same request that was sent to Warren County had been sent to the other communities; however, he continued, the others had not responded positively as of yet; and the County governments, Essex and Washington Counties, had not been approached yet. Mr. Lender asserted that Warren County was approached first because it was most greatly affected by this due to the location of the invasive species at this time. Chairman Stec recommended that if the Committee desired to move forward with this request, the resolution should state that it was contingent on a like agreement from Washington and Essex Counties. Mr. Monroe asserted that a range of \$25,000 to \$30,000 as Warren County's contribution would be appropriate if the other communities contributed, as well. Mr. Conover countered that Warren County's contribution should not be dependent on the other communities participating and he further recommended that the resolution state that the other counties and towns were encouraged to participate, as opposed to making it contingent on their contributions. Discussion ensued relative to the impact of the invasive species in Lake George. Mr. Goodspeed supported including a time line for the other communities to contribute in the resolution, possibly thirty days.

Motion was made by Mr. Monroe, seconded by Mr. Belden and carried unanimously to provide funding in the amount of \$30,000 to assist the Lake George Asian Clam Rapid Response Task Force, contingent on the three towns affected in Washington County, the one town affected in Essex County and both aforementioned counties contributing funding in an amount of at least \$45,000 within thirty days, and the matter be revisited in thirty days; and the source of funding shall be transferred from the Contingent Fund. The necessary resolution was authorized for the next board meeting.



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Sandra Nierzwicki-Bauer, Director of the Darren Freshwater Institute, provided a detailed explanation of the Asian Clam, its arrival in Lake George and the eradication process for the benefit of the Committee members.

Mr. Thomas referred to Item 3 which was the response to the Budget Analysis Report from the County Treasurer as prepared by JoAnn McKinstry, Assistant to the County Administrator, which was attached for review.

Mr. Dusek proposed a slightly different report, in that he would like his Office to respond to the report following active discussions with Department Heads; thereby making the Administrator's Office the primary responsive. Mr. Geraghty noted the purpose of the report was to raise the awareness of the Department Heads that the board members were conscious of their functions and he did not want that to change. Mr. Dusek interjected that this would force him or his Assistant to conduct the appropriate dialog with the Department Heads, thereby leading to more understandable explanations. Mr. Goodspeed suggested that Mr. Dusek postpone any changes to the report until a new County Attorney was hired.

Motion was made by Mr. Goodspeed, seconded by Mr. Conover and carried unanimously to allow the Administrator to make any modifications to the Budget Analysis Report as deemed necessary, after a new County Attorney was hired.

Prior to adjournment, Mr. Dusek announced he had just received information pertaining to the Hudson River Black River Regulating District and the petition filed by the County and other associated counties. He reminded the Committee members that Warren County had received a bill in the amount of \$290,616 from the Hudson River Black River Regulating District. He informed that the Supreme Court had ruled against the County and determined that the District should be upheld in their finding to bill all of the counties. Mr. Dusek requested an executive session to discuss client/attorney privileged information as to legal strategies. Mr. Goodspeed asked if the County should be on a dual course, in terms of a legislative initiative, to stop the District and Mr. Dusek agreed with that statement.

Motion was made by Mr. Conover, seconded by Mr. Taylor and carried unanimously that executive session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive session was declared from 11:30 a.m. to 11:48 a.m.

The Committee reconvened. Pursuant to the executive session, motion was made by Mr. Monroe, seconded by Mr. Belden and carried unanimously to appeal the decision made regarding the Hudson River Black River Regulating District. The necessary resolution was authorized for the next board meeting.

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There being no further business to come before the Committee, on motion made by Mr. Belden and seconded by Mr. Conover, Mr. Thomas adjourned the meeting at 11:53 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk